

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

ARY JEWELERS, LLC,

Plaintiff,

v.

IBJTC BUSINESS CREDIT CORPORATION
and DAVID MOLINARIO,

Defendants.

U.S. DISTRICT COURT
DISTRICT OF MASS.

C.A. No. 04 CV 10281EFH

2004 MAY -4 P 4:97

JOINT STATEMENT PURSUANT TO LOCAL RULE 16.1 (D)

The parties to the above-captioned action submit the following joint statement pursuant to Local Rule 16.1(D)

I. DISCOVERY AND MOTION SCHEDULE

A. Initial Disclosures

The parties agree to exchange the initial disclosures required under Federal Rule of Civil Procedure 26(a)(1) by June 14, 2004.

B. Fact Discovery

Fact Discovery will commence on June 14, 2004 and will be completed on or before March 14, 2005.

C. Experts

(i) The Plaintiff will identify their expert(s) and produce all written expert reports on or before April 28, 2005.

(ii) All discovery of plaintiff's expert(s) will be completed on or before June 13, 2005.

(iii) The Defendant will identify its expert(s) and produce all written expert reports on or before July 28, 2005.

(iv) All discovery of the Defendant's expert(s) will be completed on or before September 12, 2005.

D. Motion for Judgment on the pleadings and Summary Judgment

- (i) Motion for judgment on the pleadings, if any, will be filed on or before June 28, 2004.
- (ii) Opposition to any Motion for judgment on the pleadings, if any, will be filed on or before August 9, 2004.
- (iii) Motions for summary judgment, if any, will be filed on or before November 10, 2005.
- (iv) Opposition, if any, will be filed on or before December 20, 2005.
- (v) A hearing on all motions will be subject to the Court's calendar.

E. Trial

A pretrial conference and trial will be set after the resolution of any motion for summary judgment.

II. MAGISTRATE JUDGE

The parties do not consent to have this case referred to a magistrate judge.

III. MEDIATION

The parties are not opposed to mediation through the Alternative Dispute Resolution program sponsored by the Federal District Court.

IV. CERTIFICATIONS

The requisite certifications will be submitted by July 12, 2004.

Respectfully submitted this 4th day of May, 2004.

Stephen Carrigan /kms

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